REMARKS

Claims 1 through 35 are currently pending in the application.

Claims 2, 6, 19, 25, and 26 have been amended.

This amendment is in response to the Office Action of April 21, 2005.

Claim Objections

Claim 2 is objected to due to informalities in the claim language. Appropriate correction has been made.

35 U.S.C. § 102(e) Anticipation Rejections

Anticipation Rejection Based on Grasso et al. (U.S. Publication No. 2002/0116291)

Claims 1 through 7, and 19 through 35 were rejected under 35 U.S.C. § 102(e) as being anticipated by Grasso et al. (U.S. Publication No. 2002/0116291) ("Grasso"). The Applicants respectfully traverse this rejection, as hereinafter set forth.

Applicants assert that a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Brothers v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The identical invention must be shown in as complete detail as is contained in the claim. *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Claim 1 is directed to "[a] method for accessing data comprising: configuring data at least partially obtained from an enterprise resource planning system; storing said data; and identifying said data to be accessed in response to a generic access instruction."

Applicants assert that Grasso does not anticipate the invention set forth in independent claim 1 under 35 U.S.C. § 102 because each and every element of independent claim 1 is not expressly or inherently described in Grasso. Applicants assert that Grasso does not describe the element of the invention set forth in independent claim 1 calling for "configuring data at least partially obtained from an enterprise resource planning system." Applicants assert that Grasso does not even make any reference to an enterprises resource planning (ERP) system. Applicants assert that a few common examples of ERP systems are SAP R/3, Baan, and PeopleSoft. Applicants assert that each and every element of independent claim 1 is not

expressly or inherently described t anticipate the claimed invention under 35 U.S.C. § 102. Therefore, claim 1 is allowable.

Claims 2 through 7 are allowable as they depend from an allowable independent claim.

Claim 19 is directed to "[a] system for accessing data comprising: an apparatus for obtaining data from an enterprise resource planning ("ERP") system; an apparatus for implementing a generic access instruction; and an extension configured to respond to said generic access instruction."

Applicants assert that Grasso does not anticipate the invention of independent claim 19 under 35 U.S.C. § 102 because each and every element of independent claim 19 is not expressly or inherently described in Grasso. Applicants assert that Grasso does not describe the element of the invention of independent claim 19 calling for "an apparatus for obtaining data from an <u>enterprise resource planning ("ERP") system</u>." Applicants assert that Grasso does not even make any reference to an ERP system. Applicants assert that a few common examples of ERP systems are SAP R/3, Baan, and PeopleSoft. Applicants assert that each and every element of independent claim 19 is not expressly or inherently described by Grasso to anticipate the invention of independent claim 19 under 35 U.S.C. § 102. Therefore, claim 19 is allowable.

Claims 20 through 25 are allowable as they depend from an allowable independent claim.

Claim 26 is directed to "[a] system for sharing data comprising: an apparatus for partially obtaining data from an enterprise resource planning system; an extension configured to respond to a generic access instruction for communicating with web content containing a generic access instruction; and an output device."

Applicants assert that Grasso does not anticipate the claimed invention of independent claim 26 under 35 U.S.C § 102 because each and every element of independent claim 26 is not expressly or inherently described in Grasso. Applicants assert that Grasso does not describe the element of the invention of independent claim 26 calling for "an apparatus for partially obtaining data from an <u>enterprise resource planning system</u>." Applicants assert that Grasso does not even make any reference to an enterprise resource planning (ERP) system. Applicants assert that a few common examples of ERP systems are SAP R/3, Baan, and

PeopleSoft. Applicants assert that each and every element of independent claim 26 is not expressly or inherently described by Grasso to anticipate the claimed invention under 35 U.S.C. § 102. Therefore, claim 26 is allowable.

Claims 27 through 35 are allowable as they depend from an allowable independent claim.

35 U.S.C. § 103(a) Obviousness Rejections

Obviousness Rejection Based on Grasso et al. (U.S. Publication No. 2002/0116291) in view of Croy (U.S. Publication No. 2001/0047384)

Claims 8 through 18 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Grasso in view of Croy (U.S. Publication No. 2001/0047384) ("Croy"). Applicants respectfully traverse this rejection, as hereinafter set forth.

Applicants assert that to establish a *prima facie* case of obviousness under 35 U.S.C. § 103 three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Third, the cited prior art reference must teach or suggest all of the claim limitations. Furthermore, the suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on Applicants' disclosure.

Claim 8 is directed to "[a] method for outputting data comprising: providing a client having capability to execute a web browser, providing an extension; configuring data partially obtained from an enterprise resource planning system; identifying said data to be accessed in response to a generic access instruction; communicating a first web content to said client containing a generic access instruction causing a portion of said data to be accessed; communicating a second web content to said client providing capability for outputting said data; and outputting said data."

The Examiner has asserted that "Grasso teaches substantially all the limitations [of claim 8], except for the use of communicating a second web content to said client providing capability for outputting said data; and outputting said data." Office Action of April 21, 2005, p. 14. The Examiner asserts that Croy teaches the missing elements.

9

Applicants assert that Grasso and Croy do not teach or suggest all of the limitations of claim 8 to establish a *prima facie* case of obviousness under 35 U.S.C. § 103 regarding the claimed invention. Neither Grasso nor Croy nor any combination thereof describes the claim limitation of the claimed invention calling for "configuring data partially obtained from an enterprise resource planning system." Neither Grasso nor Croy make any reference to an enterprise resource planning (ERP) system. Applicants assert that a few common examples of ERP systems are SAP R/3, Baan, and PeopleSoft. Grasso and Croy nor any combination thereof do not teach or suggest all of the limitations of claim 8; therefore, a *prima facie* case of obviousness has not been established regarding the claimed invention of independent claim 8 under 35 U.S.C. § 103.

Claims 9 through 18 are allowable as they depend from an allowable independent claim.

Double Patenting Rejection Based on U.S. Application Serial No. 10/159,199

Claims 1 through 35 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 2, 7 through 25, and 30 through 46 of U.S. Application No. 10/159,199. In order to avoid further expenses and time delay, Applicants elect to expedite the prosecution of the present application by filing a terminal disclaimer to obviate the double patenting rejections in compliance with 37 CFR §1.321 (b) and (c). Applicants' filing of the terminal disclaimer should not be construed as acquiescence in the Examiner's double patenting or obviousness-type double patenting rejections. Attached are the terminal disclaimer and accompanying fee.

Applicants submit that claims 1 through 35 are clearly allowable over the cited prior art.

Applicants request the allowance of claims 1 through 35 and the case passed for issue.

Respectfully submitted,

James R. Duzan
Registration No. 28,393
Attorney for Applicants
TRASKBRITT
P.O. Box 2550
Salt Lake City, Utah 84110-2550
Telephone: 801-532-1922

Date: July 19, 2005
JRD/dlm:lmh

Document in ProLaw